

Environment, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Land Uses; Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands; Mediation of Grazing Disputes" (RIN0596-AB59), received July 21, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4337. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zinc Phosphide; Extension of Tolerance for Emergency Exemptions" (FRL #6090-9), received July 21, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4338. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List for Uncontrolled Hazardous Waste Sites" (FRL #6401-5), received July 21, 1999; to the Committee on Environment and Public Works.

EC-4339. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plan; Indiana" (FRL #6401-9), received July 20, 1999; to the Committee on Environment and Public Works.

EC-4340. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; California" (FRL # 6378-2), received July 20, 1999; to the Committee on Environment and Public Works.

EC-4341. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Classification of the San Francisco Bay Area Ozone Nonattainment Area for Congestion Mitigation and Air Quality (CMAQ) Improvement Program Purposes" (FRL # 6401-6), received July 20, 1999; to the Committee on Environment and Public Works.

EC-4342. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage" (FRL # 6401-2), received July 20, 1999; to the Committee on Environment and Public Works.

EC-4343. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Monitoring the Effectiveness of Maintenance at Nuclear Power Plants" (RIN3150-AF95), received July 21, 1999; to the Committee on Environment and Public Works.

EC-4344. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Pollock Fisheries off Alaska" (RIN0648-AM08), received July 22, 1999; to the

Committee on Commerce, Science, and Transportation.

EC-4345. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Proposed Establishment of Class E Airspace; Imperial County, CA; Docket No. 98-AWP-33 (7-16/7-19)" (RIN2120-AA66) (1999-0224), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4346. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Indianapolis, IN; and Revocation of Class E Airspace; Greenwood, IN; Docket No. 99-AGL-26 (7-16/7-19)" (RIN2120-AA66) (1999-0227), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4347. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Legal Description of the Class D Airspace; Cincinnati, OH; Docket No. 99-AGL-25 (7-16/7-19)" (RIN2120-AA66) (1999-0225), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4348. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Legal Description of the Class D Airspace; Cincinnati, OH; Docket No. 99-AGL-25 (7-16/7-19)" (RIN2120-AA66) (1999-0225), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4349. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways; Kahului, HI; Correction; Docket No. 99-AWP-35 (7-16/7-19)" (RIN2120-AA66) (1999-0223), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4350. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Minden, NV; Docket No. 97-AWP-33 (7-16/7-19)" (RIN2120-AA66) (1999-0222), received July 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4351. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Retention Limit Adjustment (Angling Category)," received July 21, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4352. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Inseason Transfer (Purse Seine Category)," received July 21, 1999; to the Committee on Commerce, Science, and Transportation.

EC-4353. A communication from the Secretary of Transportation, transmitting, pur-

suant to law, a report relative to transportation security for calendar year 1997; to the Committee on Commerce, Science, and Transportation.

EC-4354. A communication from the Director, Office of White House Liaison, Department of Commerce, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General of the Department of Commerce, the designation of an Acting Inspector General, and the nomination of an Inspector General; to the Committee on Commerce, Science, and Transportation.

EC-4355. A communication from the Associate Administrator for Human Resources and Education, National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator; to the Committee on Commerce, Science, and Transportation.

EC-4356. A communication from the Under Secretary, Food, and Nutrition and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Stamp Program: 1995 Quality Control Technical Amendments" (RIN0584-AB38), received July 21, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4357. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, transmitting, pursuant to law, on behalf of the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration the Report of a rule entitled "FAC 97-13, Reform of Affirmative Action in Federal Procurement" (RIN9000-AH59), received July 19, 1999; to the Committee on Governmental Affairs.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated on July 22, 1999:

POM-260. A resolution adopted by the Legislature of the State of Alaska relative to tobacco settlement funds; to the Committee on Finance.

### LEGISLATIVE RESOLVE NO. 5

Whereas the State of Alaska, taking all of the risks inherent in litigation, brought suit against major cigarette and smokeless tobacco manufacturers based on state antitrust and consumer protection claims solely to collect the state's smoking-related expenditures; and

Whereas none of the claims asserted by the state were based on a Medicaid recoupment statute or included the assertion of claims based on federal law for the federal government's tobacco-related medical expenditures; and

Whereas the State of Alaska entered into a settlement agreement in state court based on state antitrust and consumer protection law claims with cigarette and smokeless tobacco companies for \$669,000,000 on November 23, 1998; and

Whereas the federal government, through the Health Care Finance Administration, has asserted that it is entitled to a significant share of the state settlement on the basis that it represents the federal share of Medicaid costs; and

Whereas the federal government declined to bring its own action to assert a claim for the federal money it spent for the treatment of smoking-related illnesses in Alaska and provided no assistance to the state during the litigation or during settlement negotiations; and

Whereas the federal government asserts that it is authorized and obligated, under Social Security Act, to collect its share of any settlement funds attributed to Medicaid; and

Whereas the state tobacco lawsuit was brought for violation of state law under state law theories and the state lawsuit did not make any federal claims; and

Whereas the state bore all the risk and expense in the litigation brought in state court and settled without any assistance from the federal government; and

Whereas the state is entitled to all of the funds negotiated in the tobacco settlement agreement without any federal claim; now, therefore, be it

*Resolved*, That the Twenty-First Alaska State Legislature respectfully requests the Congress to enact and the President to sign legislation to prohibit any federal claim against money obtained by settlement of state tobacco litigation; and be it further

*Resolved*, That the Twenty-First Alaska State Legislature respectfully urges the President of the United States to direct the Health Care Finance Administration to refrain from taking steps to pursue recoupment of dollars.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Donna E. Shalala, Secretary of the U.S. Department of Health and Human Services; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Kay Bailey Hutchison, U.S. Senator from Texas; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-261. A resolution adopted by the House of the Legislature of the State of Illinois relative to tobacco settlement funds; to the Committee on Finance.

#### HOUSE RESOLUTION NO. 139

Whereas, The November 23, 1998 tobacco settlement and prior settlements in four states call for the distribution of settlement funds to states over the next 25 years; we must act quickly to ensure that the settlement funds actually reach the states; and

Whereas, Receipt of half or more of these funds is in doubt because of the federal government's attempt to recoup state settlement money as Medicaid overpayments; and

Whereas, There is a bi-partisan congressional coalition led by Texas Senator Kay Bailey Hutchison, Florida Senator Robert Graham, Washington Senator Slade Gorton, Indiana Senator Evan Bayh, Ohio Senator George Voinovich, and Florida Congressman Michael Bilirakis that is advocating legislation to negate the recoupment claim; and

Whereas, States initiated the suits that ultimately led to the settlements; and

Whereas, The States assumed all risks; and

Whereas, The States used their resources to challenge the tobacco industry; and

Whereas, The federal government played no role in the suits nor in the settlements; the November 23 accord makes no mention of Medicaid or federal recoupment; and

Whereas, Our State is making initial fiscal determinations regarding the most responsible allocation of these settlement funds; and

Whereas, We cannot and should not be threatened with the seizure of these funds by the federal government; Now, therefore, be it

*Resolved*, by the House of Representatives of the ninety-first General Assembly of the State of

Illinois, That we call on the United States Congress and urge its members to support United States House Resolution 351; and be it further

*Resolved*, That a suitable copy of this resolution be delivered to the Illinois Congressional delegation, the Speaker of the U.S. House of Representatives, the Majority Leader of the U.S. Senate, the Vice President of the United States, and the President of the United States.

Adopted by the House of Representatives on May 5, 1999.

POM-262. A resolution adopted by the Legislature of the State of Alaska relative to the marriage penalty; to the Committee on Finance.

#### LEGISLATIVE RESOLVE NO. 16

Whereas the federal government is anticipating a budget surplus of \$1.6 trillion over the next 10 years; and

Whereas the Congress is considering various options for returning some of that surplus to hardworking taxpayers; and

Whereas, under current law, 21,000,000 married couples pay approximately \$1,400 more a year in taxes than they would if they were single; and

Whereas the institution of marriage should be supported and not penalized by the federal government; Now, therefore, be it

*Resolved by the Alaska State Legislature*, That the Congress of the United States is urged to pass legislation to remove from the Internal Revenue Code of 1986 the current discrimination against married individuals in all instances of such discrimination; and be it further

*Resolved*, That the income tax rate paid by a married couple be no higher and the standard deduction no lower than that of two single individuals.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Robert E. Rubin, Secretary of the U.S. Treasury; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to all other members of the U.S. Senate and the U.S. House of Representatives serving in the 106th Congress.

POM-263. A resolution adopted by the Legislature of the State of Alaska relative to the federal estate and gift taxes; to the Committee on Finance.

#### LEGISLATIVE RESOLVE NO. 15

Whereas our form of government is premised on the right to enjoy the fruit of one's labor, to own one's own possessions, and to pass on one's bounty to one's heirs; and

Whereas, when a person works for a lifetime to build assets, saving and investing money, building a business, or buying and developing land, that person has a moral right to pass those assets on to the person's family without being penalized with inheritance taxes; and

Whereas there is a fundamental problem of double taxation when a decedent's survivors are forced to pay an inheritance tax on assets acquired by the decedent with after-tax dollars; and

Whereas we need a tax system that encourages lifelong saving and enterprise and that rewards, rather than punishes, the traditional family; and

Whereas we need a government that rewards "blood, sweat, and tears" by abol-

ishing the estate and gift taxes completely; and

Whereas repealing the federal estate and gift taxes is not an issue of politics and wealth but a matter of principle; now, therefore, be it

*Resolved*, That the Alaska State Legislature respectfully requests the United States Congress to enact H.R. 86 and repeal subtitle B of the Internal Revenue Code of 1986, relating to the federal estate, gift taxes, and generation-skipping transfer.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Christopher Cox, U.S. Representative from California, primary sponsor of H.R. 86; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-264. A resolution adopted by the Legislature of the State of Alaska relative to the proposed "American Land Sovereignty Act"; to the Committee on Energy and Natural Resources.

#### LEGISLATIVE RESOLVE NO. 13

Whereas the United Nations has designated 67 sites in the United States as "World Heritage Sites" or "Biosphere Reserves," which altogether are about equal in size to the State of Colorado, the eighth largest state; and

Whereas art. IV, sec. 3, United States Constitution, provides that the United States Congress shall make all needed regulations governing lands belonging to the United States; and

Whereas many of the United Nations' designations include private property inholdings and contemplate "buffer zones" of adjacent land; and

Whereas some international land designations such as those under the United States Biosphere Reserve Program and the Man and Biosphere Program of the United Nations Scientific, Educational, and Culture Organization operate under independent national committees such as the United States National Man and Biosphere Committee that have no legislative directives or authorization from the Congress; and

Whereas these international designations as presently handled are an open invitation to the international community to interfere in domestic economies and land use decisions; and

Whereas local citizens and public officials concerned about job creation and resource based economies usually have no say in the designation of land near their homes for inclusion in an international land use program; and

Whereas former Assistant Secretary of the Interior George T. Frampton, Jr., and the President used the fact that Yellowstone National Park had been designated as a "World Heritage Site" as justification for intervening in the environmental impact statement process and blocking possible development of an underground mine on private land in Montana outside of the park; and

Whereas a recent designation of a portion of Kamchatka as a "World Heritage Site" was followed immediately by efforts from environmental groups to block investment insurance for development projects on Kamchatka that are supported by the local communities; and

Whereas environmental groups and the National Park Service have been working to establish an International Park, a World Heritage Site, and a Marine Biosphere Reserve

covering parts of western Alaska, eastern Russia, and the Bering Sea; and

Whereas, as occurred in Montana, such designations could be used to block development projects on state and private land in western Alaska; and

Whereas foreign companies and countries could use such international designations in western Alaska to block economic development that they perceive as competition; and

Whereas animal rights activists could use such international designations to generate pressure to harass or block harvesting of marine mammals by Alaska Natives; and

Whereas such international designations could be used to harass or block any commercial activity, including pipelines, railroads, and power transmission lines; and

Whereas the President and the executive branch of the United States have, by Executive Order and other agreements, implemented these designations without approval by the Congress; and

Whereas the United States Department of Interior, in cooperation with the Federal Interagency panel for World Heritage, has identified the Aleutian Island Unit of the Alaska Maritime National Wildlife Refuge, Arctic National Wildlife Refuge, Cape Krusenstern National Monument, Denali National Park, Gates of the Arctic National Park, and Katmai National Park as likely to meet the criteria for future nominations as World Heritage Sites; and

Whereas the Alaska State legislature objects to the nomination or designation of any World Heritage Sites or Biosphere Reserves in Alaska without the specific consent of the Alaska State Legislature; and

Whereas actions by the President in applying international agreements to lands owned by the United States may circumvent the Congress; and

Whereas Congressman Don Young introduced House Resolution No. 901 in the 105th Congress entitled the "American Land Sovereignty Protection Act of 1997" that required the explicit approval of the Congress prior to restricting any use of the United States land under international agreements; and

Whereas Congress Don Young has reintroduced this legislation in the 106th Congress as House Resolution No. 883, which is entitled the "American Land Sovereignty Protection Act"; Now, therefore, be it

*Resolved*, That the Alaska State Legislature supports House Resolution 883, the "American Land Sovereignty Protection Act," that reaffirms the constitutional authority of the Congress as the elected representatives of the people over the federally owned land of the United States and urges the swift introduction and passage of such act by the 106th Congress; and be it further

*Resolved*, That the Alaska State Legislature objects to the nomination or designation of any sites in Alaska as World Heritage Sites or Biosphere Reserves without the prior consent of the Alaska State Legislature.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-265. A resolution adopted by the Legislature of Guam relative to the election of the Attorney General of Guam; to the Committee on Energy and Natural Resources.

#### RESOLUTION No. 126

Whereas, in 1998 Guam's delegate to the U.S. Congress introduced, and the Congress passed into law, an amendment to the Organic Act of Guam that allows for the election of the Attorney General of Guam in the next gubernatorial general election, which is scheduled for the year 2002; and

Whereas, I Miná Bente Singko Na Liheslaturan Guahan subsequently passed, and I *Magáláhen Guahan* signed into law, Public Law Number 25-44, which mandates an elected Attorney General starting with the election allowed by the newly amended Organic Act of Guam; and

Whereas, three and a half (3½) years seems like an inordinately long period of time to postpone what should be the right of the people of Guam; Now therefore, be it

*Resolved*, That I Miná Bente Singko Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, respectfully request that Guam's Delegate to the U.S. Congress introduce legislation that would further amend the Organic Act of Guam to allow for the first election of the Attorney General of Guam to be held in the General Election in the year 2000; and be it further

*Resolved*, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the President of the U.S. Senate; to the Speaker of the U.S. House of Representatives; to Guam's Delegate to the U.S. Congress; and to the Honorable Carl T.C. Gutierrez, I *Magáláhen Guahan*.

POM-266. A resolution adopted by the Legislature of the State of Alaska relative to evaluation and selection criteria for military base realignment and closure; to the Committee on Armed Services.

#### LEGISLATIVE RESOLVE No. 4

Whereas the Secretary of the United States Department of Defense has called for the reestablishment of a Base Realignment and Closure (BRAC) Commission to conduct two new rounds of military base closures beginning in 2001; and

Whereas, under the process established for the BRAC Commissions in 1991, 1993, and 1995, each of the armed services developed categories for its own bases and evaluated and ranked each of its bases within those categories by applying criteria established by the United States Department of Defense and the Congress; and

Whereas these single-service evaluations severely restricted the opportunity to consider the effect of a base's closure on the operational readiness of the United States Department of Defense's total force; and

Whereas the shortcomings of this single-service approach were recognized by the BRAC Commission that recommended that the United States Department of Defense develop procedures for considering potential joint or common activities among the services in several training and support areas; and

Whereas this recommendation led to the creation in 1994 of Joint Cross-Service Groups that worked with the services in the five functional areas of depot maintenance, military medical treatment facilities, test and evaluation, undergraduate pilot training, and laboratories, in preparation for the 1995 BRAC round; and

Whereas the strategic challenges now facing the United States as we enter the new century may require an even greater emphasis on creating and fielding a fully integrated total force capable of projecting our nation's military power around the world from bases with our country's borders; and

Whereas this military force structure should be supported by a military base struc-

ture that is focused on strategic mobility, joint operations, and joint training considerations in addition to individual service considerations; Now, therefore, be it

*Resolved*, That the Alaska State Legislature respectfully requests the President of the United States, the United States Congress, and the Secretary of the United States Department of Defense to establish new Joint Cross-Service Groups this year to study issues of power projection and deployment, joint training, joint operations, and other total force considerations; and be it further

*Resolved by the Alaska State Legislature*, That these Joint Cross-Service Groups then be directed to develop new evaluation and selection criteria and procedures based on their findings to be incorporated into any future base realignment and closure proceedings to ensure that total force and power projection factors are major military value considerations in base structure decisions.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tem of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable William S. Cohen, Secretary of the U.S. Department of Defense; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-267. A resolution adopted by the Legislature of the State of Alaska relative to a recent article published by the American Psychological Association; to the Committee on Health, Education, Labor, and Pensions.

#### LEGISLATIVE RESOLVE No. 18

Whereas children are a precious gift and responsibility; and

Whereas the spiritual, physical, and mental well-being of children is our sacred duty; and

Whereas no segment of our society is more critical to the future of human survival and society than our children; and

Whereas it is the obligation of all public policymakers not only to support but also to defend the health and rights of parents, families, and children; and

Whereas information endangering to children is being made public and, in some instances, may be given unwarranted or unintended credibility through release under professional titles or through professional organizations; and

Whereas elected officials have a duty to inform and counter actions they consider damaging to children, parents, families, and society; and

Whereas Alaska has made sexual molestation of a child a felony and has declared parents who sexually molest their children to be unfit; and

Whereas virtually all studies in this area, including those published by the American Psychological Association, condemn child sexual abuse as criminal and harmful to children; and

Whereas the American Psychological Association has recently published, but did not endorse, a study that suggests that sexual relationships between adults and willing children are less harmful than believed and might even be positive for "willing" children; now, therefore, be it

*Resolved*, That the Alaska State Legislature condemns and denounces all suggestions in the recently published study by the American Psychological Association that indicates sexual relationships between adults

and willing children are less harmful than believed and might even be positive for "willing" children; and be it further

*Resolved*, That the Alaska State Legislature urges the United States Congress and the President of the United States to likewise reject and condemn, in the strongest honorable written and vocal terms possible, any suggestion that sexual relations between children and adults are anything but abusive, destructive, exploitive, reprehensible, and punishable by law; and be it further

*Resolved*, That the Alaska State Legislature encourages competent investigations to continue to research the effects of child sexual abuse using the best methodology so that the public and public policymakers may act upon accurate information.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable David Satcher, M.D., Ph.D., Surgeon General of the United States; and to the Honorable Ed Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-268. A resolution adopted by the Legislature of the State of Alaska relative to the Amchitka nuclear tests; to the Committee on the Judiciary.

#### LEGISLATIVE RESOLVE NO. 19

Whereas the largest underground nuclear bomb tests ever conducted by the government of the United States were conducted as part of the Amchitka nuclear bomb test program; and

Whereas many Alaska workers who worked at the Amchitka Island, Alaska, nuclear bomb test program have reported what appears to be an inordinately high rate of radiation-related diseases, including various kinds of cancer; and

Whereas the workers have been unable for years to obtain information on the tests in which they were involved in order to prove their entitlement to compensation for their medical needs because the United States Department of Energy has advised them that the information is classified; and

Whereas the Amchitka Technical Advisory Group has unanimously requested a medical surveillance program of Amchitka workers; and

Whereas some of the information necessary for workers to establish their entitlement to medical benefits and other compensation has been released, but more information apparently remains classified; Now, therefore be it

*Resolved*, That the Alaska State Legislature requests the Congress of the United States to fund a medical surveillance program to cover the health concerns of the Amchitka workers; and be it further

*Resolved*, That the United States Department of Energy and the department's subcontractors are requested to expeditiously resolve the pending worker compensation claims and litigation filed by injured workers from Amchitka and the surviving family members of deceased workers at Amchitka; and be it further

*Resolved*, That the Congress of the United States amend the Radiation Exposure Compensation Act of 1990 to include Amchitka Island, Alaska, within its coverage.

Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Trent Lott, Majority

Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Bill Richardson, Secretary of the U.S. Department of Energy; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-269. A resolution adopted by the Legislature of the State of Alaska relative to oil and gas exploration, development, and production in the Arctic National Wildlife Refuge; to the Committee on Energy and Natural Resources.

#### LEGISLATION RESOLVE NO. 8

Whereas, in sec. 1002 of the Alaska National Interest Lands Conservation Act (ANILCA), the United States Congress reserved the right to permit further oil and gas exploration, development, and production within the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

Whereas the oil industry, the state, and the United States Department of the Interior consider the coastal plain to have the highest potential for discovery of very large oil and gas accumulations on the continent of North America, estimated to be as much as 10,000,000,000 barrels of recoverable oil; and

Whereas the residents of the North Slope Borough, within which the coastal plain is located, are supportive of development in the "1002 study area"; and

Whereas oil and gas exploration and development of the coastal plain of the refuge and adjacent land could result in major discoveries that would reduce our nation's future need for imported oil, help balance the nation's trade deficit, and significantly increase the nation's security; and

Whereas domestic demand for oil continues to rise while domestic crude production continues to fall with the result that the United States imports additional oil from foreign sources; and

Whereas development of oil at Prudhoe Bay, Kuparuk, Endicott, Lisburne, and Milne Point has resulted in thousands of jobs throughout the United States, and projected job creation as a result of coastal plain oil development will have a positive effect in all 50 states; and

Whereas Prudhoe Bay production is declining by approximately 10 percent a year; and

Whereas, while new oil field developments on the North Slope of Alaska, such as Alpine, Badami, and West Sak, may slow or temporarily stop the decline in production, only giant coastal plain fields have the theoretical capability of increasing the production volume of Alaska oil to a significant degree; and

Whereas opening the coastal plain of the Arctic National Wildlife Refuge now allows sufficient time for planning environmental safeguards, development, and national security review; and

Whereas the oil and gas industry and related state employment have been severely affected by reduced oil and gas activity, and the reduction in industry investment and employment has broad implications for the state's work force and the entire state economy; and

Whereas the 1,500,000-acre coastal plain of the refuge comprises only eight percent of the 19,000,000-acre refuge, and the development of the oil and gas reserves in the refuge's coastal plain would affect an area of only 2,000 to 7,000 acres, which is less than one-half of one percent of the area of the coastal plain; and

Whereas 8,000,000 of the 19,000,000 acres of the refuge have already been set aside as wilderness; and

Whereas the oil industry has shown at Prudhoe Bay, as well as at other locations along the Arctic coastal plain, that it can safely conduct oil and gas activity without adversely affecting the environment or wildlife populations; and

Whereas the state will ensure the continued health and productivity of the Porcupine Caribou herd and the protection of land, water, and wildlife resources during the exploration and development of the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

Whereas the oil industry is using innovative technology and environmental practices in the new field developments at Alpine and Northstar, and those techniques are directly applicable to operating on the coastal plain and would enhance environmental protection beyond traditionally high standards; Now, therefore be it

*Resolved by the Alaska State Legislature*, That the Congress of the United States is urged to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production, and that the Alaska State Legislature is adamantly opposed to further wilderness or other restrictive designation in the area of the coastal plain of the Arctic National Wildlife Refuge, Alaska; and be it further

*Resolved*, That that activity be conducted in a manner that protects the environment and uses the state's work force to the maximum extent possible.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and president of the U.S. Senate; the Honorable Bruce Babbitt, Secretary of the Interior; the Honorable Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to all other members of the U.S. Senate and the U.S. House of Representatives serving in the 106th United States Congress.

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated on July 26, 1999:

POM-270. A joint resolution adopted by the Legislature of the State of New Hampshire relative to oxygenate additives for gasoline; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION 9

Whereas, the federal Clean Air Act has required that oxygenates be added to gasoline for the purpose of reducing air pollution and, in particular, ground-level ozone and carbon monoxide; and

Whereas, automobile improvements over the last several years have considerably reduced the benefits of oxygenates for controlling carbon monoxide emissions by eliminating much of the carbon monoxide which would be emitted in the absence of oxygenates; and

Whereas, automobile improvements over the last several years have likewise considerably reduced the benefits of oxygenates for controlling hydrocarbon emissions; and

Whereas, substantial evidence has been developed over the last few years that, in much of the country, the formation of ground-level ozone is not significantly dependent upon amounts of hydrocarbon emissions; and

Whereas, questions have been raised as to whether one oxygenate in common use,

methyl t-butyl ether (MTBE), is degrading water quality to an extent that more than offsets its limited and decreasing benefits for air pollution control; and

Whereas, the threat that MTBE poses to the water resources of New Hampshire could be lessened in the short term by substituting conventional gasoline, which contains a much lower concentration of MTBE, for reformulated gasoline in the 4 southern counties (Hillsborough, Merrimack, Rockingham, and Strafford) required by federal regulation to use reformulated gasoline; and

Whereas, such gasoline substitution is not possible in New Hampshire without the Environmental Protection Agency granting the state a waiver to do so; now, therefore, be it

*Resolved by the senate and house of representatives in general court convened:*

That Congress should eliminate the oxygenate requirements of the federal Clean Air Act without imposing any new federal requirements to reduce air pollution; and

That the Environmental Protection Agency should expeditiously grant New Hampshire the short-term waivers necessary to permit the substitution of conventional gasoline for reformulated gasoline, without requiring substitute air emission reduction strategies as part of the state's air pollution implementation plan; and

That such gasoline substitution should be allowed prior to the completion of the ongoing, long-term comparative risk studies that will eventually identify the relative health and environmental costs and benefits of using gasoline formulations that have reduced MTBE levels; and

That when a better understanding has been reached of the comparative risks of different gasoline formulations, the Environmental Protection Agency should utilize incentive-based programs, rather than command-and-control measures, to further reduce MTBE levels in gasoline, provided that such reduction is consistent with the comparative risk analyses; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over the Clean Air Act, the Administrator of the United States Environmental Protection Agency, and each member of the New Hampshire congressional delegation.

POM-271. A joint resolution adopted by the Legislature of the State of New Hampshire relative to federal air pollution programs, to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION 2

Whereas, the federal Clean Air Act has in the past allocated pollution allowances, which are items of commercial value, to pollution sources based on emissions existing on arbitrary baseline dates, where higher emissions equated to being granted more allowances; and

Whereas, such a policy has rewarded dirtier operators by allocating to them more allowances than their cleaner competitors, and further, has unfairly served to punish operators who have happened to install expensive air pollution controls shortly before the baseline dates; and

Whereas, these past actions have made it more difficult to encourage polluters to reduce emissions prior to regulatory deadlines; now, therefore, be it

*Resolved by the senate and house of representatives in General Court convened:*

That future federal air pollution legislation should avoid using baseline pollution as

a basis for allocation of allowances or other items of commercial value, or any future reduction requirements; and

That to the extent that the federal government chooses to continue to use baseline emissions to determine allowance allocation and future reduction requirements, either to individual polluters or to states, that it choose a baseline date far enough in the past in order that recently-improved sources are not placed at a competitive disadvantage against dirtier competitors that have not made such investments and have smaller capital and operating costs as a result; and

That such care with baselines be used not only for sulfur dioxide and nitrogen oxide emissions, but also for any other emissions which the federal government may subsequently choose to control with allowance-based mechanisms; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over the Clean Air Act, the Administrator of the United States Environmental Protection Agency, and each member of the New Hampshire congressional delegation.

POM-272. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to border corridor highways; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION 4

Whereas, recent authorization of the Transportation Equity Act of the 21st Century, (TEA-21), provides funding for the coordinated planning, design, and construction of corridors of national significance, economic growth, and international or inter-regional trade during federal fiscal years 1999-2003 under Sections 1118 and 1119; and

Whereas, allocations of funding may be made to transportation corridors identified in Section 1150(c) of TEA-21's predecessor, ISTEA and to other designated border transportation corridors using specified considerations; and

Whereas, the Coordinated Border Infrastructure Program has been established to improve the safe and efficient movement of people and goods at or across the United States/Canadian and United States/Mexican borders; and

Whereas, U.S. Route 2 traverses laterally through the northernmost parts of Maine, New Hampshire, and Vermont, originating in Bangor, Maine and continuing through New Hampshire to Alburg, Vermont on the shores of Lake Champlain; and directly providing key connectivity to the Canadian provinces of New Brunswick and Quebec at Maine and Vermont as a de facto East-West Highway Connector; and

Whereas, U.S. Route 2 also serves as a major gateway and longitudinal connector for northern New England to the rest of the nation through its connectivity with Interstate Highways I-89, I-91, and I-93 in Vermont, and I-95 in Maine, and enjoys a tri-state designation as a primary east-west corridor by the states of Maine, New Hampshire, and Vermont; and

Whereas, the future economic viability of northern New England through its trading and tourism relationship with Quebec and the Maritime Provinces is contingent upon the upgrade and maintenance of the U.S. Route 2 transportation corridor link; now, therefore, be it

*Resolved by the house of representatives, the senate concurring:*

That the United States Secretary of Transportation expeditiously authorize the inclu-

sion of U.S. Route 2 through the states of Maine, New Hampshire, and Vermont as a designated border corridor highway under the auspices of Sections 1118 and 1119 of the Transportation Equity Act of the 21st Century; and

That copies of this resolution, signed by the speaker of the house and the president of the senate, be forwarded by the house clerk to the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Transportation, and the congressional delegations of New Hampshire, Vermont, and Maine.

POM-273. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to the Individuals with Disabilities Education Act; to the Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION 6

Whereas, since its enactment in 1975, the Individuals with Disabilities Education Act (IDEA) has helped millions of children with special needs to receive a quality education and to develop to their full capacities; and

Whereas, the IDEA has moved children with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, the IDEA has helped break down stereotypes and ignorance about people with disabilities, improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the federal government enacted the Individuals with Disabilities Education Act, it promised to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 9 percent of the actual cost of special education services; and

Whereas, local school districts and state governments end up bearing the largest share of the cost of special education services; and

Whereas, the federal government's failure to adequately fulfill its responsibility to special needs children undermines public support for special education and creates hardship for disabled children and their families; now, therefore, be it

*Resolved by the house of representatives, the senate concurring:*

That the New Hampshire general court urges the President and the Congress to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the IDEA to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

That copies of this resolution be forwarded by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

POM-274. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to Nuclear Decommissioning Reserve Funds; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION 11

Whereas, proper decommissioning of nuclear power plants serves important public health and safety goals; and

Whereas, existing federal tax provisions recognize the importance of adequately funding decommissioning costs by providing incentives for establishing and adequately funding Nuclear Decommissioning Reserve Funds; and

Whereas, section 468A of the Internal Revenue Code permits taxpayers with qualifying interests in nuclear power plants to deduct contributions to Nuclear Decommissioning Reserve Funds; and

Whereas, the income of Nuclear Decommissioning Reserve Funds is taxed at a fixed 20 percent rate rather than at the normal corporate tax rate; and

Whereas, the amount that taxpayers with qualifying interests may contribute to Nuclear Decommissioning Reserve Funds is limited to a portion of the total nuclear decommissioning costs which is based on the estimated useful life of the nuclear power plant; and

Whereas, electric utility restructuring by the states may encourage or require actions by taxpayers with qualifying interests that deviate from the decommissioning funding formula in federal tax laws, including: prefunding of decommissioning obligations as a condition of the sale of the qualifying interest; the discontinuation of including decommissioning funding in cost of service rates, which will be replaced by competitive market-based rates; and reliance on non-bypassable transition charges to retail customers of a former nuclear power plant owner, such as stranded cost or wires charges, to recover future decommissioning contributions; and

Whereas, states may require that nuclear decommissioning funding be completed in a period shorter than the estimated useful life of the nuclear power plant, and some portion of these state-mandated contributions may be ineligible for deposit in a Nuclear Decommissioning Reserve Fund; and

Whereas, there should be no federal tax disincentive to fund as promptly as possible the expenditures required for the safe decommissioning of nuclear power plants; and

Whereas, compliance with state electric utility restructuring requirements and the transition to a competitive electric market may force nuclear power plant owners into decommissioning funding obligations with adverse federal tax consequences under current law; and

Whereas, these adverse federal tax consequences will ultimately cause higher rates for retail electricity customers; now, therefore, be it

*Resolved by the house of representatives, the senate concurring:*

That the general court of New Hampshire hereby urges the United States Congress and the Internal Revenue Service to make changes to the Internal Revenue Code and federal tax regulations necessary to broaden the ability of taxpayers to make tax-deductible contributions to Nuclear Decommissioning Reserve Funds and to permit all contributions toward future decommissioning expenses to receive beneficial tax treatment; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the New Hampshire Congressional delegation, and to the Commissioner of Internal Revenue.

POM-275. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to health care choices for senior citizens; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION 9

Whereas, all senior citizens in New Hampshire deserve access to all Medicare options to ensure greater health care choice; therefore, be it

*Resolved by the house of representatives, the senate concurring:*

That the general court of New Hampshire hereby urges the federal government to review Medicare policies and procedures to ensure that New Hampshire senior citizens retain all Medicare options. Specifically, the federal government should evaluate the Medicare environment in New Hampshire to ensure that:

(a) Existing policies and procedures provide for citizens to have a choice of Medicare options;

(b) Medicare reimbursement rates for physicians, hospitals, and home health care providers are sufficient to allow for access to needed care statewide and greater product choice in rural areas of the state;

(c) Medicare premium rates for New Hampshire managed care products be set at a level that allows attractive benefit coverage to citizens;

(d) Applications for Medicare insurance product introduction or expansions in New Hampshire receive high priority status by the federal government; and

(e) Congress reviews the impact of the "Balanced Budget Act" of 1997 on the ability of Medicare health maintenance organizations and home health care providers to continue to operate in New Hampshire; and

That a copy of this resolution be forwarded by the house clerk to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the New Hampshire delegation.

POM-276. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to tobacco settlement funds; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION 12

Whereas, on November 23, 1998, representatives from 46 states signed a settlement agreement with the 5 largest tobacco manufacturers; and

Whereas, the Attorneys General Master Tobacco Settlement Agreement culminated legal action that began in 1994 when states began filing lawsuits against the tobacco industry; and

Whereas, the respective states are presently in the process of finalizing the terms of the Master Tobacco Settlement Agreement, and are making initial fiscal determinations relative to the most responsible ways and means to utilize the settlement funds; and

Whereas, under the terms of the agreement, tobacco manufacturers will pay \$206 billion over the next 25 years to the respective states in up-front and annual payments; and

Whereas, New Hampshire is projected to receive \$1,304,689,150 through the year 2025 under the terms of the Master Tobacco Settlement; and

Whereas, because many state lawsuits sought to recover Medicaid funds spent to treat illnesses caused by tobacco use, the Health Care Financing Administration (HCFA) contends that it is authorized and obligated, under the Social Security Act, to collect its share of any tobacco settlement funds attributable to Medicaid; and

Whereas, the Master Tobacco Settlement Agreement does not address the Medicaid recoupment issue, and thus the Social Security Act must be amended to resolve the recoupment issue in favor of the respective states; and

Whereas, as we move toward final approval of the Master Tobacco Settlement Agreement, it is imperative that state sovereignty be preserved; now, therefore, be it

*Resolved by the State house of representatives, the senate concurring:*

That the New Hampshire legislature urges the United States Congress to enact legislation amending the Social Security Act to prohibit recoupment by the federal government of state tobacco settlement funds; and

That it is the sense of the New Hampshire state legislature that the respective state legislatures should have complete autonomy over the appropriation and expenditure of state tobacco settlements funds; and

That the New Hampshire state legislature most fervently opposes any efforts by the federal government to earmark or impose any other restrictions on the respective states' use of state tobacco settlement funds; and

That copies of this resolution be transmitted by the house clerk to the President of the United States; the President and the Secretary of the United States Senate; the Speaker and the Clerk of the United States House of Representatives; and to each member of New Hampshire's congressional delegation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance, without amendment:

S. 1429: An original bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2000 (Rept. No. 106-120).

By Mr. HATCH, from the Committee on the Judiciary:

Report to accompany the bill (S. 692) to prohibit Internet gambling, and for other purposes (Rept. No. 106-121).

#### EXECUTIVE REPORT OF A COMMITTEE

The following executive report of a committee was submitted:

By Mr. HATCH, for the Committee on the Judiciary:

Carlos Murguia, of Kansas, to the United States District Judge for the District of Kansas.

(The above nomination was reported with the recommendation that it be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ROTH:

S. 1429. An original bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2000; from the Committee on Finance; placed on the calendar.

By Mr. THOMAS (for himself and Mr. SMITH of Oregon):

S. 1430. A bill to set forth the policy of the United States with respect to Macau, and for other purposes; to the Committee on Foreign Relations.

By Mr. LAUTENBERG:

S. 1431. A bill to suspend temporarily the duty on mixtures of sennosides; to the Committee on Finance.

S. 1432. A bill to suspend temporarily the duty on dark couverture chocolate; to the Committee on Finance.

By Mr. HOLLINGS:

S. 1433. A bill to amend the Internal Revenue Code of 1986 to impose a retail excise